

Hazardous Waste Transporter Requirements



It is DTSC's mission to restore, protect and enhance the environment, to ensure public health, environmental quality and economic vitality, by regulating hazardous waste, conducting and overseeing cleanups, and developing and promoting pollution prevention.

State of California



California
Environmental
Protection Agency



BACKGROUND

In California, unless specifically exempted, it is unlawful for any person to transport hazardous wastes, unless the person holds a valid registration issued by DTSC. It is unlawful for any person to transfer custody of a hazardous waste to a transporter who does not hold a valid registration issued by DTSC. A hazardous waste registration issued by DTSC to a transporter is not transferable to any other person and is valid for one year only.

Any person who transports hazardous waste in a vehicle must have a valid registration issued by DTSC in his or her possession while transporting the hazardous waste. The registration certificate must be shown upon demand to any representative of DTSC, any representative of a Certified Unified Program Agency (CUPA), officer of the Department of the California Highway Patrol (CHP), any local health officer, or any public officer designated by DTSC. A current list of registered hazardous waste transporters is available on the Internet at <http://www.dtsc.ca.gov/database/Transporters/Trans000.cfm>.

Statutory requirements governing hazardous waste transportation in California are contained in Division 20, Chapter 6.5, Article 6 and Article 13 of the California Health and Safety Code (HSC). Regulations adopted pursuant to these statutes are found in Title 22, Division 4.5, Chapter 13, of the California Code of Regulations (22 CCR). The HSC, 22 CCR, and other information pertaining to the management and transportation of hazardous waste are available on the Internet at <http://www.dtsc.ca.gov>.

This fact sheet provides general information about the laws and regulations governing the transportation of hazardous waste. Persons who transport hazardous waste should consult the actual laws and regulations prior to making any decision that may impact regulatory compliance.

TRANSPORTER REQUIREMENTS

Hazardous waste transporters must comply with the California Vehicle Code, CHP Regulations (13 CCR); the California State Fire Marshal Regulations (19 CCR); and United States Department of Transportation (DOT) Regulations, Title 49, Code of Federal Regulations (49 CFR). In addition, hazardous waste transporters must comply with the HSC and 22 CCR, which are administered by DTSC. These requirements are summarized below:

Registration and Insurance

1. Unless specifically exempted, a person transporting hazardous waste must hold a valid registration issued by DTSC in his or her possession while transporting hazardous waste. (HSC Section 25163)
2. A transporter shall not transport hazardous waste without first receiving an Identification Number and a registration certificate from DTSC. (22 CCR Section 66263.17)
3. It is unlawful for any person to transfer custody of any hazardous waste to a transporter who does not hold a valid registration. (HSC Section 25163)
4. Registration as a hazardous waste transporter expires one year from the date it is issued. (22 CCR Section 66263.12)
5. To be registered as a hazardous waste transporter, apply to DTSC by submitting the following:
 - (a) A completed and signed hazardous waste Transporter Registration Application, (DTSC Form 187) provided by DTSC.
 - (b) Proof of ability to provide adequate response in damages resulting from the operation of the person's business. Adequate response means protection

against liability for the payment of damages equivalent to protection required by Section 34630, et seq., of the California Vehicle Code. Both of the following are required:

- (1) A copy of the insurance policy, if insured, for the required coverage shall be maintained at the transporter's principal place of business within California; and
 - (2) A Certificate of Insurance, a bond of a California licensed surety company, or evidence of qualification as a self-insurer. [22 CCR Section 66263.11(a)]
6. To renew a hazardous waste transporter registration, submit an application to DTSC at least 45 days prior to the expiration date of the current registration. [22 CCR Section 66263.11(b)]
 7. Upon loss of liability insurance, a registered hazardous waste transporter must cease transporting hazardous waste and immediately notify DTSC in writing of such loss. [22 CCR Section 66263.15(b)]
 8. A registered hazardous waste transporter shall notify DTSC immediately if the transporter changes majority ownership, name, or location. (22 CCR Section 66263.15)

Manifesting Procedures

1. Unless specifically exempted, hazardous waste shall not be accepted for transport without a Uniform Hazardous Waste Manifest that has been properly completed and signed by the generator and transporter. [22 CCR Section 66263.20(a)]
2. A person transporting hazardous waste in a vehicle shall have a manifest in his or her possession while transporting the hazardous waste. [HSC Section 25160(d)(1)]

3. A person transporting hazardous waste that requires a manifest shall comply with all manifest procedures as prescribed by 22 CCR Section 66263.20.
4. Hazardous wastes must be delivered to authorized facilities only. In the event that the waste cannot be delivered to the facility designated on the manifest, the transporter shall contact the generator for instructions and revise the manifest according to the generator's instructions. [22 CCR Section 66263.21(b)]
5. A transporter of hazardous waste shall sign and keep a copy of the manifest signed by the generator and the next designated transporter or facility for a period of at least three years from the date the waste was accepted by the initial transporter. [22 CCR Section 66263.22(a)]

Operations

1. Hazardous waste shall be transported to authorized facilities only. [22 CCR Section 66263.23(b)]
2. If a discharge or spill of hazardous waste occurs during transportation, the transporter shall take appropriate immediate action to protect human health and the environment (e.g., notify local authorities, dike the discharge area), and shall be responsible for the discharge cleanup. (22 CCR Sections 66263.30 and 66263.31)
3. A transporter is exempt from the requirements regarding a permit for waste storage when, during the normal course of transportation, hazardous waste is held at one location for six days or less, or 10 days or less for transfer facilities in areas zoned industrial by the local planning authority. (22 CCR Section 66263.18)

4. The transporter shall only transfer properly containerized hazardous waste meeting the packaging requirements of 22 CCR Section 66262.30, from one vehicle to another; and no additional handling of packages or containers used for transporting hazardous waste shall take place. (22 CCR Section 66263.18)

Vehicles Used to Transport Hazardous Waste

1. Vehicles used to transport hazardous waste shall have the name or trademark of the firm with lettering in a color contrasting with the background legible from a distance of 50 feet during daylight, on each side of the vehicle or container. [22 CCR Section 66263.23(d)]
2. Vehicles, containers, and any attached equipment used for transporting hazardous waste must be in sound condition and containers must be designed or maintained to contain hazardous waste. [22 CCR Section 66263.13(e)]
3. Hazardous wastes that are subject to volatilization or wind dispersal shall be transported in covered containers. [22 CCR Section 66263.23(c)]

DTSC conducts targeted and random inspections of transporters for purposes of monitoring compliance with all applicable requirements.

CONSOLIDATED MANIFESTING

Senate Bill 271 (Chapter 319, Statutes of 2001), effective January 1, 2002, affects transporters and generators of hazardous waste by modifying milkrun and modified manifesting requirements. SB 271 consolidates the existing modified manifesting procedures (HSC Section 25250.8) and the milkrun manifesting

regulations (22 CCR Section 66263.42) into a new consolidated manifesting procedure. The specific requirements for the new modified manifesting procedure can be found in HSC Section 25160.2. Changes in the new consolidated manifesting procedure include:

- Adding new wastestreams that can be consolidated on a single daily manifest.
- Increased monthly generator volume limits for non-RCRA waste.
- All generators must obtain identification numbers, except generators of less than 100 kilograms per calendar month of photographic waste that is hazardous solely due to silver.
- Transporters must notify DTSC using the Consolidated Transporter Notification form (DTSC Form 1299) prior to operating pursuant to the new modified manifesting procedure.
- Starting October 31, 2002, consolidated transporters must file quarterly reports with DTSC.

For more detailed information regarding changes affected by SB 271 please refer to the following fact sheets: Consolidated Manifesting Hazardous Waste Generator Requirements, and Consolidated Transporters available on the DTSC website or from the Regulatory Assistance Officers or the Transportation Unit.

TRANSPORTATION VARIANCES

DTSC may grant a transportation variance to a person if applicable requirements are met. A variance exempts the applicant from specific requirements as indicated in the variance.

The regulations in 22 CCR, Division 4.5, Chapter 13, Article 4, establish four categories of variances for generators and transporters

for specific types of transportation operations. The four variance categories are defined as Emergency Response Incident Operations, PCB Waste Operations, Consolidation Operations, and Small Load Operations. These transportation operations and their specific requirements are defined in 22 CCR, Article 4.

DTSC may also grant a Statutory Variance for additional hazardous waste transportation operations if the requirements of HSC, Section 25143 are met.

For more specific information regarding hazardous waste transportation variances please refer to DTSC's "Hazardous Waste Transportation Variances" fact sheet available on the DTSC website or from the Regulatory Assistance Officers or the Transportation Unit.

WHO TO CONTACT

Additional resources are available to assist with questions about the most common hazardous waste transportation requirements.

▪ Commercial Driver's License

All hazardous waste transporters and their drivers must have a Commercial Driver's License with a hazardous materials endorsement. The "California Commercial Driver Handbook," available from your local Department of Motor Vehicles (DMV) Office, can give you more information about these requirements, or you can call DMV at (916) 657-5771.

▪ DMV Pull Notice Program

If you are an employer, a prospective employer, or an owner/operator that employs drivers requiring California-based Class A & B licenses and those

Class C licenses with certain endorsements or certifications on their licenses, you are required to enroll all your drivers in the DMV Pull Notice Program. Hazardous materials endorsements are covered by this requirement. For forms and information, write to DMV at P.O. Box 944231, Sacramento, CA 94244-2310, or call DMV at (916) 657-6346.

- **Routing Requirements**

Hazardous waste transportation is required to be carried out via the most direct route, using State or interstate highways whenever possible (California Vehicle Code, Section 31303). For more information regarding these routing requirements, contact your local CHP office.

- **Hazardous Materials/DOT Requirements**

Transporters of hazardous materials (not hazardous waste) should call CHP at (916) 327-3310 for licensing requirements. You should also contact the CHP at this number if you need information about federal DOT requirements for packaging, labeling, marking and placarding for transportation of hazardous materials within California. If operating interstate, you should contact U.S. DOT at either (916) 498-5050 (Northern California) or (909) 653-2299 (Southern California) regarding these DOT requirements.

- **Oversize/Overweight Vehicles or Loads**

The California Department of Transportation (Caltrans) regulates operation of oversize/overweight vehicles or loads over the State highway system. The oversize/overweight permits

are only issued for non-reducible loads and can be applied for at any Caltrans District Permit Office. For further information call (916) 654-4961 for Northern California, or (909) 383-4637 for Southern California.

- **Medical Waste Transportation Requirements**

For information about transporting medical wastes, contact the Department of Health Services, Medical Waste Management Program (MWMP). The reporting requirements for medical waste are quite different from the hazardous waste reporting requirements. Call the Northern California office at (916) 327-6904, or the Southern California office at (213) 897-7170.

- **U.S. Environmental Protection Agency (U.S. EPA)**

For questions regarding the federal hazardous waste requirements (40 CFR), contact U.S. EPA at (415) 495-8895, or the U.S. EPA hotline at 1-800-424-9346.

- **Identification Number/Manifests**

For information about Identification Numbers or manifests, call DTSC's Generator Information Services Section at 1-800-61-TOXIC (1-800-618-6942). If calling from outside California, call (916) 255-1136.

- **Complaint Hotline**

To report complaints of illegal hazardous waste activity, call the DTSC Complaint Hotline at 1-800-69-TOXIC (800-698-6942)

COMMUNICATING WITH THE DEPARTMENT OF TOXIC SUBSTANCES CONTROL

All communications with DTSC concerning hazardous waste transportation, transportation variances, or transporter registration issues should be directed to the attention of the Transportation Unit at:

Department of Toxic Substances Control
Statewide Compliance Division
Attention: Transportation Unit
8800 Cal Center Drive, Floor 3
Sacramento, CA 95826-3200

Transportation Issues

(916) 255-2796

Transportation Variance Issues

(916) 255-3624

Registration Issues

(916) 255-4368

Related Fact Sheets

- Hazardous Waste Transportation Variances
- Consolidated Manifesting Hazardous Waste Generator Requirements
- Consolidated Transporters

These fact sheets are available online at <http://www.dtsc.ca.gov/HazardousWaste/Transporters> or you may obtain a copy by contacting the DTSC Regulatory Assistance Officer in your area as specified below.

If you have general questions or need additional information about hazardous waste transporter, generator, or treatment, storage and disposal facilities requirements, call 1-800-72-TOXIC (800-728-6942) to speak to a DTSC Public and Business Liaison in your area. If calling from outside California, please call the DTSC Regulatory Assistance Officer in your area at the telephone number listed below.

Sacramento Office

Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, CA 95826-3200
(916) 255-3618

Berkeley Office

Department of Toxic Substances Control
700 Heinz Avenue, 2nd Floor
Berkeley, CA 94710
(510) 540-3739

Glendale Office

Department of Toxic Substances Control
1011 North Grandview Avenue
Glendale, CA 91201
(818) 551-2830

Cypress Office

Department of Toxic Substances Control
5796 Corporate Avenue
Cypress, CA 90630
(714) 484-5400